

The Honorable Marc Barreca
Chapter 7
Hearing Date: December 17, 2020
Hearing Time: 9:30 a.m.
Hearing Location: Telephonic
Response Date: December 10, 2020

UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF WASHINGTON AT SEATTLE

In re

PAKIE VINCENT PLASTINO,
Debtor.

Case No. 17-11760-MLB

DECLARATION OF RONALD G. BROWN
IN SUPPORT OF TRUSTEE'S RESPONSE
IN OPPOSITION TO MOTION OF OLGA
PLASTINO TO COMPEL
ABANDONMENT OF PROPERTY

I, Ronald G. Brown, declare and state as follows:

1. I am the duly appointed Chapter 7 trustee for the bankruptcy estate of Pakie Vincent Plastino. I make this declaration in support of the Trustee's Response in Opposition to Motion of Olga Plastino to Compel Abandonment of Property (the "Abandonment Motion"). Terms not otherwise defined shall have the meanings assigned in the Response.

2. I was appointed as the Chapter 7 trustee for Plastino [Dkt. # 62] and have acted in that capacity since my appointment on June 27, 2017.

3. This is the Debtor's fourth voluntary bankruptcy case in this court. The Debtor also filed a voluntary bankruptcy in the United States Bankruptcy Court for the Central District of California (Riverside). His previous bankruptcy filings and their conclusions are:

3.1 Voluntary chapter 11 petition filed June 3, 1982, in the Western District of Washington under case number 82-10639-TTG, by Marjorie T. Plastino and Pakie V. Plastino, dismissed November 12, 1987;

1 3.2 Voluntary chapter 11 petition filed March 24, 2005, in the Western
2 District of Washington under case number 05-13695-TTG, by Pakie V.
3 Plastino, converted to chapter 7 on May 30, 2006. Debtor received a
 discharge on February 22, 2007 (the “2005 Bankruptcy”);

4 3.3 Voluntary chapter 13 petition filed March 19, 2009, in the Western
5 District of Washington under case number 09-12531-KAO, by Pakie V.
 Plastino, converted to chapter 11 on May 14, 2009, and dismissed on
 December 4, 2009; and

6 3.4 Voluntary chapter 11 petition filed February 3, 2017, in the Central
7 District of California (Riverside) under case number 17-10871-WJ, by
8 Pakie V. Plastino and dismissed on July 6, 2017 (the “California
 Bankruptcy”).

9 4. The Debtor’s surviving spouse, Olga B. Plastino aka Olga Plastino aka
10 Olga Stewart Plastino aka Olga Stewart aka Olga B. Stewart aka Olga Borisovna Stewart
11 (“Stewart”), is not a debtor in this case. She previously filed a voluntary chapter 13 petition on
12 September 22, 2010, in the Western District of Washington under case number 10-21227-MLB
13 (the “Stewart BK”) that was converted to chapter 11 on November 1, 2010, and administratively
14 closed on February 14, 2014, on entry of a final decree.

15 5. The Abandonment Motion is signed by Stewart in her capacity as
16 “Representative of the Debtor, Pakie V. Plastino.” Abandonment Motion, 9:15-16. But it
17 appears that the legal research and analysis, and perhaps even the drafting, of the Abandonment
18 Motion was performed by a person or persons with legal training, and the record does not
19 disclose that Stewart has such training. Stewart should be required to identify any person who
20 assisted her with the preparation of the Abandonment Motion.

21 6. I request the court continue the hearing on the Abandonment Motion to a date
22 after the court enters its orders on the pending summary judgment motions, because if I prevail
23 on summary judgment, I will have created significant value for the estate from the Residence,
24 rendering moot most, if not all, of Stewart’s arguments in favor of abandonment.

25 7. It is not clear what personal property is currently located within the Residence,
26 and whether, among other things, Stewart might consider fixtures to be personal property, thus

1 potentially complicating my sale of the Residence. And any order of abandonment entered on
2 the Abandonment Motion should exclude any property that is not scheduled.

3 I declare on penalty of perjury under the laws of the state of Washington that the
4 foregoing is true and correct.

5 SIGNED this 10th day of December, 2020, at Seattle, Washington.

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7 /s/ Ronald G. Brown

8 Ronald G. Brown
9 Chapter 7 Trustee
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